

LINE 5 QUICK FACTS

- Built in 1953
- 645-mile pipeline, 30-inch diameter
- Splits into two 20 inch lines under the Straits
- Runs from Superior, WI to Sarnia, Ontario
- Approximately 22 million gallons of product transported daily
- Transports crude oil, natural gas liquids, and other light petroleum

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Enbridge Line 5

AN OIL PIPELINE UNDER THE GREAT LAKES

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Issue Overview

Enbridge Inc. is a leading natural gas and crude oil pipeline operator in North America. Their vast networks of pipeline include the Lakehead system, which runs throughout the Great Lakes region. The 645 mile Line 5 runs from Superior, WI, east across Michigan's Upper Peninsula before turning south at the Straits of Mackinac and through the Inland Waterway, across the Lower Peninsula eventually ending at Sarnia, Ontario. The potential for an oil spill in the 1836 Ceded Territory is real. On an average day, Line 5 carries approximately 22 million gallons of crude oil and natural gas from primarily North Dakota and Montana. Line 5 runs through vast stretches of pristine Northern Michigan natural resources including

world class freshwater fisheries, thousands of acres of hardwood forests, and a myriad of wetlands and ground-



The last Enbridge pipeline marker before Line 5 goes into the Straits of Mackinac

water resources that are vital to the tribal community. The 2010 Kalamazoo River spill by Enbridge's Line 6B illustrates the impacts of a pipeline spill and can highlight complications encountered by responders.

There have been 80 documented oil spills on the Lakehead system since 2001, but

none more famous and extensive than the Line 6B spill near Marshall, MI, that spread 35 miles downstream on the Kalamazoo River in July 2010. The Kalamazoo River oil spill is the largest and most costly inland spill in American history. Enbridge's Line 6B, a 30-inch oil pipeline, released approximately 843,000 gallons of diluted bitumen, a heavy crude oil, into a creek that feeds the Kalamazoo River. Although the official recorded spill amount is 843,000 gallons of oil, 1.15 million gallons have been recovered as of August 2013.

It took Enbridge 17 hours to realize a spill had occurred after ignoring its own monitoring system alarms. Clean-up is still ongoing and complete removal of oil is unlikely.

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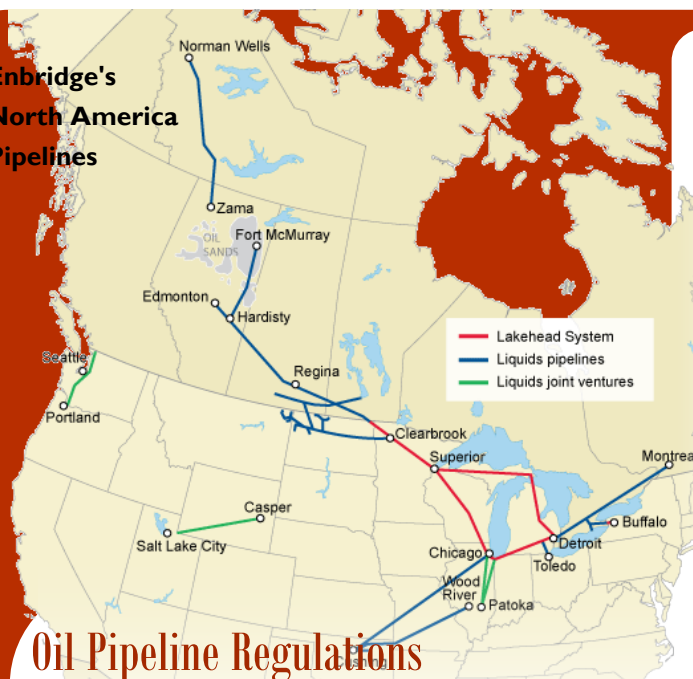
Cultural Significance

In consideration of the next seven generations, the Little Traverse Bay Bands of Odawa Indians is obligated under its Constitution to protect and revitalize the Anishinaabe culture and promote the health and economic interests of its membership: the government shall protect the

membership from "social injustice and all forms of exploitation." An oil release at the Straits of Mackinac, the Inland Waterway, or other areas along the pipeline could be particularly damaging to tribal hunting and fishing Treaty resources and may damage cultural sites and land

sacred to past, present and future tribal citizens. A spill would also pose serious risks to health and economic interests. The Tribe has sovereign interest in the Straits area in particular, due to its proximity to current and historic tribal lands.

Enbridge's North America Pipelines



Oil Pipeline Regulations

There are several federal and state agencies that play a role in overseeing oil pipeline activities. Some are more involved in the construction and operation of pipelines, such as the Michigan Public Service Commission. Others only become involved once a spill occurs.

In general, Michigan regulators do not physically inspect oil pipelines. Staff may review company documents and reports. By performing inspections themselves, the oil pipeline industry has gained a reputation for being “self-regulated.” Federal

inspectors also rely heavily on company reports and inspections. The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) is simply under-staffed for the vast network of pipelines spread across the United States. A recent estimate stated that there are 135 federal inspectors to oversee 2.6 million miles of pipeline in the United States. Only a fifth of the nation’s pipelines have been inspected since 2006. Each inspector is responsible for about 20 thousand miles of pipeline;

Putting the Issue in Context

Oil threatening the health of the Great Lakes and other natural resources is certainly not limited to Line 5 or other Enbridge pipelines. Pipelines run though the entire region and are largely unnoticed by the public. For example, a MarkWest pipeline runs 250 miles

though the 1836 Ceded Territory from Manistee, MI to northeast of Gayling, MI where it connects to Line 5. In the last couple of years other energy companies have been exploring the feasibility of shipping oil across the Great Lakes by vessels due to the increased production coming

Issue Overview Continued

As of 2013, the Pipeline and Hazardous Materials Safety Administration (PHMSA) has made no progress on updating federal pipeline safety regulations since the Kalamazoo River spill. Additionally the National Transportation Safety Board (NTSB) issued a report in 2012 on the Kalamazoo River spill; NTSB recommended eight actions needed to address factors

in the spill. PHMSA is still working to fully implement all of the suggested actions.

The Little Traverse Bay Bands of Odawa Indians has several options to address the risk posed by oil pipelines in the Ceded Territory. The Tribe has a vested interest in protecting its Treaty Rights, the environment, and its members from the potential consequences of an oil spill.

almost enough pipeline to circle the Earth.

In the event of an oil spill, county responders would likely be the first to respond. Counties and local emergency planning committees (LEPC) have response plans based on local circumstances and hazards. Tribal governments are (or can be) involved in the emergency response planning. Once a spill occurs it is up to the tribe(s) to choose their role in the response. Depending on the technical staff available, tribes may be included in

the incident command structure (coordination of response activities), the Natural Resource Damage Assessment and Restoration (to assess the impacts of the spill on the environment), the physical response/clean-up, or other related activities.

If a spill occurred in Great Lakes waters the U.S. Coast Guard would be the lead agency coordinating the spill response. If the spill occurred in inland waters, the U.S. EPA would be the lead agency.

from Canada and North Dakota, although no oil is being shipped currently. As oil production continues to increase in North America, so too will the need to transport it. The Great Lakes region is located in the center of the continent and has historically played an important role in the

movement of goods and services within North America and across the globe. Oil is no exception and with the increasing production, the Great Lakes region should expect further interest in using the region to move oil across the continent.